



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON, D.C. 20370-5100

BJG
Docket No: 6339-98
8 April 1999

MA [REDACTED] III USMC
[REDACTED]
[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10, United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 8 April 1999. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by Headquarters Marine Corps, dated 2 October 1998, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records.

Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
3280 RUSSELL ROAD
QUANTICO, VIRGINIA 22134-5103

6339-9V

IN REPLY REFER TO:

1600
MMAA-4
2 Oct 98

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Subj: BCNR PETITION FOR MAJOR [REDACTED]
[REDACTED] USMC

Ref: (a) MMER Request for Advisory Opinion in the case of
[REDACTED] USMC
of 24 Sept 98

1. Recommend disapproval of Major [REDACTED] request to remove his failure of selection and for a Special Selection Board.
2. Per the reference, we reviewed Major [REDACTED] s record and petition. He failed selection on the FY99 USMC Lieutenant Colonel Selection Board. Major [REDACTED] requests removal of his failure of selection and a Special Selection Board.
3. In our opinion, the record as it appeared before the FY99 Board was substantially correct. The board was able to review and evaluate Major [REDACTED] record and decide whether it was the best and most fully qualified in relation to the other records considered by that particular board. [REDACTED] implies that he did not receive a complete and fair evaluation by the FY99 Board. In our opinion, [REDACTED] has correctly highlighted the areas of competitive concern in his record, and makes an attempt to explain away his shortcomings. [REDACTED] resumes that neither his briefer nor the other members of the Board were capable of properly evaluating his record. It would be presumptuous of us to comment on [REDACTED] s allegations that the Board did not take all parts of his record into consideration. Furthermore, his petition contains no requested action which would favorably improve his record.
4. In summary, we believe that [REDACTED] s petition is without merit. His record received a substantially complete and fair evaluation by the FY99 Board. Therefore, we recommend disapproval of [REDACTED] s petition to remove his

Subj: BCNR PETITION FOR MAJOR [REDACTED]
[REDACTED] SMC

failure of selection and for a Special Selection Board.

[REDACTED]

Major, U. S. Marine Corps
Head, Officer Counseling and
Evaluation Section
Officer Assignment Branch
Personnel Management Division